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shall embrace more than one subject which shall be expressed in its title.

[Ed. Note.—For other cases, see Statutes, Cent. Dig. §§ 146, 173; Dec. Dig. § 121 (1).* 12 Va.-W. Va. Enc. Dig. 749.]

4. Taxation (§ 40 (1)*)—Uniformity—Constitutional Provisions.—Code 1904, § 1040a, touching the taxation of shares of stock in banks and providing for deduction of shares of stockholders resident in another city or county than the bank, is not violative of Const. 1902, § 168, providing for uniformity of taxation upon the same class of subjects within the territorial limits of the authority levying the tax.

[Ed. Note.—For other cases, see Taxation, Cent. Dig. §§ 68, 71; Dec. Dig. § 40 (1).* 13 Va.-W. Va. Enc. Dig. 85.]

Error to Circuit Court of City of Richmond.

Proceeding by mandamus by the Board of Supervisors of Henrico County and others against Tresnon, Commissioner of Revenue, etc., of the City of Richmond. From an order of the Circuit Court awarding a peremptory writ of mandamus, defendant brings error. Affirmed.

H. R. Pollard, of Richmond, for plaintiff in error.

W. W. Beverly and *Hill Montague*, both of Richmond, for defendants in error.

GENERAL ACCIDENT, FIRE & LIFE ASSUR. CORP., Limited
v. MURRAY.

Nov. 16, 1916.

[90 S. E. 620.]

1. Insurance (§ 605 (5)*)—Accident Insurance—Action on Policy—Sufficiency of Evidence—Accident.—In an action under an accident policy covering "bodily injuries effected directly and independently of all other causes through accidental means," evidence held not to show that the erysipelas of which the assured died was accidentally caused by the rubbing of his foot by his shoe.

[Ed. Note.—For other cases, see Insurance, Cent. Dig. §§ 1719, 1721, 1722; Dec. Dig. § 665 (5).* 1 Va.-W. Va. Enc. Dig. 72.]

2. Evidence (§ 477 (1)*)—Fact or Conclusion.—A statement of a witness that an abrasion or reddish looking place on the assured's ankle "looked" like erysipelas was an unwarranted statement from one not shown to be competent to express an opinion on such a subject.

[Ed. Note.—For other cases, see Evidence, Cent. Dig. § 2237; Dec. Dig. § 477 (1).* 5 Va.-W. Va. Enc. Dig. 313.]

3. Appeal and Error (§ 927 (5)*)—Question of Fact—Demurrer to

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

Evidence.—On appeal, the evidence demurred to must be considered most favorably to the party offering it.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. § 3748; Dec. Dig. § 927 (5).* 1 Va.-W. Va. Enc. Dig. 576.]

4. Insurance (§ 146 (3)*)—Contracts—Construction.—Contracts of insurance are to be considered most strongly against insurer, and in favor of the assured.

[Ed. Note.—For other cases, see Insurance, Cent. Dig. § 295; Dec. Dig. § 146 (3).* 7 Va.-W. Va. Enc. Dig. 784.]

5. Insurance (§ 646 (6)*)—Accidental Insurance—Action on Policy—Burden of Proof.—In an action to recover upon a policy of accident insurance, covering "bodily injury, effected directly and independently of all other causes through accidental means," the plaintiff has the burden of bringing himself within its provisions by proving an accidental injury to the assured.

[Ed. Note.—For other cases, see Insurance, Cent. Dig. §§ 1659-1662, 1664; Dec. Dig. § 646 (6).* 7 Va.-W. Va. Enc. Dig. 815.]

6. Insurance (§ 646 (6)*)—Accidents—Presumption—Death—Natural Causes.—Death is to be presumed to be the result of natural dissolution rather than of accidental injury.

[Ed. Note.—For other cases, see Insurance, Cent. Dig. §§ 1659-1662, 1664; Dec. Dig. § 646 (6).* 16 Va.-W. Va. Enc. Dig. 1068.]

Error to Law and Chancery Court of City of Norfolk.

Action by Jenny W. Murray against the General Accident Fire & Life Assurance Corporation, Limited. Judgment for plaintiff, and defendant brings error. Reversed, and judgment entered for the defendant.

R. R. Hicks, of Norfolk, for plaintiff in error.

E. R. F. Wells, of Norfolk, for defendant in error.

BASHFORD *v.* ROSENBAUM HARDWARE CO.

Nov. 16, 1916.

[90 S. E. 625.]

1. Municipal Corporations (§ 819 (4)*)—Evidence—Injury to Pedestrian.—In an action for personal injuries sustained by a pedestrian in falling into an opening in a sidewalk, usually covered by doors, evidence held to support findings that the doors were not open when plaintiff approached; that he was not aware that one door had been opened behind him while his attention was elsewhere by a boy in the employ of the defendants and engaged in their work.

[Ed. Note.—For other cases, see Municipal Corporations, Cent. Dig. § 1739; Dec. Dig. § 819 (4).* 12 Va.-W. Va. Enc. Dig. 927.]

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.